UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/25124
25 January 1993

ORIGINAL: ENGLISH

THIRD PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS TRANSITIONAL AUTHORITY IN CAMBODIA

INTRODUCTION

1. By paragraph 10 of its resolution 745 (1992), the Security Council requested the Secretary-General to report to the Council at stated intervals on progress made in the implementation of the resolution and on tasks still to be performed in the operation, with particular regard to the most effective and efficient use of resources. In accordance with this provision and in response to subsequent resolutions and to developments in Cambodia, I have submitted reports on 1 May (S/23870), 12 June (S/24090), 14 July (S/24286), 21 September (S/24578) and 15 November 1992 (S/24800).

2. Resolution 745 (1992) calls for a further progress report in January 1993. This third progress report is submitted to the Security Council in pursuance of that request. It describes the activities of the United Nations Transitional Authority in Cambodia (UNTAC) up to 10 January 1993.

3. By paragraph 21 of resolution 792 (1992) adopted on 30 November 1992, the Council requested the Secretary-General to report not later than 15 February 1993 on the implementation of that resolution and on any further measures that might be necessary and appropriate to ensure the realization of the fundamental objectives of the Paris Agreements (see S/23177). A report in pursuance of that resolution will be submitted at that time.

I. IMPLEMENTATION OF RESOLUTION 745 (1992)

A. General

4. UNTAC has pursued its implementation of the peace process despite the setbacks described in my earlier reports. The refusal of the Party of Democratic Kampuchea (PDK) to fulfil its obligations under the Paris Agreements by participating fully in the peace process made it impossible to implement phase II of the cease-fire. This has meant the effective suspension of the cantonment, disarming and demobilization of the armed forces of the four factions, with the result that those forces remain under arms in the

field. Since the beginning of the dry season in November 1992, cease-fire violations - including the movement of troops for strategic advantage and armed clashes between the forces of the two largest factions, the National Army of Democratic Kampuchea (NADK) and the Cambodian People's Armed Forces (CPAF) - have increased and tension has risen in some parts of the country.

5. On the other hand, the success of voter registration has clearly demonstrated that the peace process has the support of the overwhelming majority of the Cambodian people. By the end of December 1992, nearly 4.4 million Cambodians had been registered, representing about 96 per cent of the estimated total number of those qualified to vote in the zones to which UNTAC has access. Registration is effectively complete in most provinces of Cambodia, although it is still continuing in the northern provinces where it began only in November.

6. By the end of December 1992, close to 240,000 refugees and displaced persons - about two thirds of the total - had been safely repatriated to Cambodia. From 30 November to 2 December 1992, UNTAC hosted the first ever international human rights symposium in Phnom Penh. The Supreme National Council has, since my last progress report, approved a dozen rehabilitation projects worth more than $110 million. Progress made and tasks still to be performed by each of the Components and Divisions of UNTAC are described in detail below.

B. Relations with the Supreme National Council

7. Since my last progress report, issued on 21 September 1992 (S/24578), the Supreme National Council has held a total of five meetings or working sessions (22 September, 20 October, 8 November (in Beijing) and 8 and 10 December (at UNTAC headquarters)). "Working sessions" are meetings which, because of the absence from Phnom Penh of the President of the Supreme National Council, His Royal Highness Prince Norodom Sihanouk, are held informally under the chairmanship of my Special Representative, Mr. Yasushi Akashi.

8. The agenda at those meetings included such matters as principles to be incorporated into the post-election Constitution, the territorial integrity of Cambodia, relations between the Supreme National Council and multilateral financial institutions, direct control by UNTAC in the field of finance, the exploitation of Cambodia's natural resources, the establishment of the Cambodian National Heritage Protection Authority, the questions of foreign forces and foreign residents and immigrants and the approval of rehabilitation projects.

9. The results of the special Supreme National Council meeting held in Beijing on 8 November 1992 were described in my report on the implementation of resolution 783 (1992) and, in particular, in its annexes II and III (S/24800). Since then, Prince Sihanouk has stayed in Beijing, where he is receiving medical treatment. The two working sessions which, in his absence, my Special Representative chaired on 8 and 10 December respectively, were not

attended by some members. The recommendations agreed by those present at the meetings were conveyed to Prince Sihanouk, who approved them.

10. The 10 December meeting was devoted mainly to the question of the verification of the withdrawal and non-return of foreign forces, a matter in which UNTAC was entrusted with specific responsibilities under annex 2, article VI of the Paris Agreement. As reported in document S/24800 (para. 18), UNTAC has not so far found evidence of any formed units of foreign forces in areas of Cambodia to which it has access. The strategic investigation teams established by UNTAC to investigate the foreign forces question submitted an interim report on their activities to the working session of the Supreme National Council held on 10 December. The report described investigations into allegations or suspicions of the presence of foreign forces, all of which had proved inconclusive. Members of the Supreme National Council were invited to provide additional information to support claims that such forces did exist in Cambodia. No additional information has yet been provided.

11. The influence exerted in Cambodia by its two larger neighbours has traditionally been a matter of deep concern to Cambodians. While the Paris Agreement refers only to "foreign forces, advisers and military personnel", there has been a tendency to interpret this provision in much wider terms than a purely military presence and to try to involve UNTAC in matters that fall outside its mandate. In a statement on 14 December 1992, Prince Sihanouk stated that "certain neighbouring countries" had advanced their borders with Cambodia to the detriment of Cambodia's territorial integrity, and spoke of the "occupation" and "exploitation" of Cambodian districts or villages by nationals of those countries. That exploitation, he said, had led to "the irreversible annihilation of the natural resources of Cambodia, particularly the woods, the precious stones and fish and crustaceans".

12. UNTAC's efforts to address these problems have included the establishment of a Technical Advisory Committee to the Supreme National Council on territorial integrity and a proposal to set up another on foreign residents and immigrants in order to establish the facts of a situation which the new Government formed after the elections may decide to address. In accordance with resolution 792 (1992), UNTAC is also taking appropriate measures to secure implementation of the moratorium on the export of logs decided by the Supreme National Council on 22 September 1992.

13. On 20 December 1992, Prince Sihanouk announced that, following consultations with the parties concerned, a second representative of the Front Uni National pour une Cambodge Indépendent, Neutre, Pacifique et Coopératif (FUNCINPEC) would become a member of the Supreme National Council, thus increasing the total number of members to 13. The new member was later named as Mr. Sam Rainsy. Prince Sihanouk has indicated that this step was taken in order to allow FUNCINPEC to be represented, like the Khmer People's National Liberation Front (KPNLF) and PDK, by two members.

14. On 4 January 1993, Prince Sihanouk informed Mr. Akashi that he was obliged to cease cooperation with UNTAC and with the Party of the State of Cambodia because of the persistent violent attacks on FUNCINPEC offices and staff. Mr. Akashi visited the Prince in Beijing on 8 January 1993 and reported to him regarding recent developments in Cambodia, including the measures taken by UNTAC to promote a neutral political environment. At that meeting, Prince Sihanouk expressed his readiness to hold a meeting of the Supreme National Council in Beijing on 28 January 1993. The Prince also confirmed that he would be a candidate in the presidential elections referred to in paragraph 3 of resolution 792 (1992).

15. On 5 January 1993, Prince Norodom Ranariddh, leader of FUNCINPEC, informed my Special Representative that, in view of the deterioration of the political situation, he would suspend working relations with UNTAC until effective measures were taken to put an end to the current climate of violence (see also sect. I.K below). However, at a subsequent meeting with my Special Representative, Prince Ranariddh expressed gratitude for UNTAC's efforts to address this problem and stressed that FUNCINPEC had always cooperated with UNTAC and would continue to do so.

C. Human Rights Component

16. In pursuance of its basic mandate, UNTAC has continued to expand its human rights education and training programmes, both in Phnom Penh and in the provinces. As part of its efforts to promote the development of an independent judiciary, a major programme of training for judges and defence lawyers/public defenders has been initiated. The first course for 60 defenders was completed in November 1992.

17. Formal human rights training has now been introduced into the Cambodian education system. UNTAC has distributed a set of curricular materials throughout the country, and primary and secondary school teachers in the Phnom Penh administration are being trained in their use. Human rights officers are using the materials for training in FUNCINPEC and KPNLF zones. The curriculum of Phnom Penh University also now includes human rights studies, and a course began on 27 October 1992 for 210 law students. Denial of access has made it impossible to extend this programme to the zones controlled by PDK.

18. UNTAC is also stepping up human rights training outside the school system. Training sessions for officials of the existing administrative structures and professional or activist groups have been undertaken in almost every province. More than 4,000 people have attended training sessions in Phnom Penh alone, and an average of 100 people in each of the provinces. The Component has also provided human rights training to members of various UNTAC components.

19. UNTAC's human rights information campaign has set up mobile video units in each province to show videos on basic human rights concepts. Additional radio programmes are also being produced. Together with the United Nations

Educational, Scientific and Cultural Organization (UNESCO), UNTAC has organized a team of traditional singers who tour the provinces with a performance featuring human rights messages.

20. Collaboration with indigenous human rights organizations is an important aspect of UNTAC's work. There are now five such organizations with offices in nearly all provinces and with a combined membership reportedly approaching 50,000. UNTAC has provided them with materials, training and expertise as well as small grants for basic office expenses. UNTAC is also setting up a resource centre and library for all the organizations to use collectively. There is also close cooperation with international non-governmental human rights organizations represented in Cambodia.

21. A large majority of persons currently detained in civilian prisons administered by the Phnom Penh authorities have not been accorded due process in the determination of the charges against them. Some prisoners have been detained for up to 10 years without trial, and others claim that their detention is due to their political allegiance rather than to any criminal action on their part. UNTAC is actively investigating all cases of prisoners who are members of other parties in order to determine whether or not their detention is politically motivated.

22. Conditions of detention in civil prisons throughout Cambodia continue to be closely monitored. Health conditions in some prisons remain poor, partly because of inadequate rations. The use of cells lacking light and ventilation persists at several prisons. UNTAC has pressed the local authorities to improve the situation to the extent possible within the means available to the prison administration.

23. An International Symposium on Human Rights in Cambodia was held in Phnom Penh from 30 November to 2 December 1992, with the participation of representatives of each of the Cambodian human rights organizations. Also participating were some 25 representatives from human rights organizations in Europe, North America and the Asia/Pacific region and of the United Nations Centre for Human Rights and other organizations of the United Nations system. The opening session included presentations on the future of human rights in Cambodia by three of the four Cambodian parties who are signatories to the Paris Agreements.

24. The primary purpose of the Symposium was to examine ways in which the international community might best assist indigenous human rights organizations and structures in the coming years. The Symposium expressed concern at the recent increase in political violence, as described in section I.K below. International and regional human rights organizations agreed to provide resources and expertise, both during the transitional period and afterwards, to assist Cambodian human rights organizations and to complement and continue UNTAC's efforts in this field. The Symposium also called for a continued United Nations presence in Cambodia following the withdrawal of UNTAC, including possibly an operational presence by the Centre for Human Rights.

25. For Human Rights Day, 10 December, UNTAC organized various events in Phnom Penh and the provinces, including a nationwide drawing contest for children.

D. Electoral Component

26. In paragraph 51 of the implementation plan (S/23613), it was proposed that the registration of voters should begin in October 1992 and last for three months, with a provision for extension if the need arose to ensure the registration of the maximum number of voters. On 21 December, my Special Representative announced the extension of the registration period until 31 January 1993. Given the success of voter registration so far, as well as the current rate of registration in every province in Cambodia, UNTAC is confident of being able to register at least 97 per cent of the estimated eligible population throughout the country by the end of January 1993.

27. As reported below, it is anticipated that the repatriation of refugees and displaced persons will not be completed until about March 1993. Special arrangements are therefore being made for the registration of those who could not be registered in Cambodia by the end of the original period of registration. This will be done, in addition to extending the period for registration within Cambodia as referred to above, by providing a special facility for refugees only. On the basis of the data currently available, the number of refugees to be accommodated in this way would be between 40,000 and 60,000.

28. In view of the unwillingness of PDK to guarantee access to zones under its control, UNTAC has adopted the practice of registering all applicants in non-PDK areas before moving gradually into districts in which NADK is known to operate. Electoral teams in these districts carry out their tasks in close cooperation with the Civilian Police and Military Components, whose functions, as described below, have been modified to enable them to protect electoral staff if the need arises.

29. So far, many electoral teams operating in or around zones where NADK is present have been permitted to register applicants and have reported high levels of interest in and commitment to the electoral process among the population of those zones. In some cases, residents have been permitted to leave the zones to register at registration points located outside them. In other cases, however, NADK units have refused to allow teams to carry out registration and have requested them to leave. The teams complied, but they will keep trying wherever possible until the completion of the registration process at the end of January. Since UNTAC has not been allowed access to all the PDK-controlled areas, it is unable to estimate the size of the population of those areas or the number of potential voters living there who have not been registered. However, the PDK-controlled areas are generally considered to be sparsely populated, comprising only about 5 per cent of the total population.

30. Since the promulgation of the electoral law in August 1992, 20 political parties have provisionally registered and acquired the right to place their agents in the registration points. This right applies to all of the 834 points and in some cases up to 4 or 5 parties are represented. One of the rights of the party agents is to object to applicants they consider to be unqualified to register. This is a particularly sensitive issue in view of the claim repeatedly made by some Cambodian parties that "Vietnamese" would try to register and vote. To date, however, only about 0.3 per cent of all applicants have been the subject of challenges by party agents. Where parties have pursued these objections, they have in general failed to file effective grounds for rejecting those registered or evidence to support their disqualification. It can be concluded that the system has been effective in deterring unqualified applicants. In accordance with the electoral law, applicants who are refused registration may appeal to the UNTAC District Electoral Supervisor. The number of such appeals has also been minimal.

31. The computer system for controlling voter registration, described in paragraph 45 of the implementation plan (S/23613), is working well. About 280 Cambodian data-entry clerks, working in three 8-hour shifts per day to ensure a round-the-clock service, use 110 Khmer-language keyboards to enter into the central computer information on cards received from the registration points. The system is designed to support the entering and tracking of up to 5.2 million voter registration records and to produce the lists of registered voters that will be issued to political parties. All the data-entry clerks were trained by four Cambodian trainers, who themselves received instruction at United Nations Headquarters in New York. Owing to communications difficulties and rough terrain, there is a time-lag in the recovery of registration information by the computer centre. While the total number of registration cards issued has now exceeded 4 million, the number of cards so far logged in stands at about 2.6 million.

32. At a date to be determined in accordance with the Electoral Law, my Special Representative will invite political parties already provisionally registered to apply for official registration. This will require those parties to submit a list containing the names, signatures, voter registration numbers and addresses of at least 5,000 registered voters who are members of the party. On 30 November 1992, Mr. Khieu Samphan, Mr. Son Sen and other members of PDK announced that they had established the founding committee of a new party, the National Unity of Cambodia Party (NUCP). In a statement issued the same day, my Special Representative indicated that such a party should register under the Electoral Law and participate fully in the electoral process by, inter alia, granting access to other parties and to UNTAC, so that it can discharge its functions in accordance with the Paris Agreements. However, UNTAC has not so far been advised of the creation of this new party.

33. At the Supreme National Council working session of 10 December 1992, representatives of FUNCINPEC and KPNLF pressed strongly for two revisions of the Electoral Law approved by the Supreme National Council and promulgated by UNTAC in August 1992. One would extend the franchise to the so-called Khmer Krom residents in Cambodia, that is, ethnic Cambodians born, or with a parent

born, in southern Viet Nam. The second would allow Cambodians living overseas to register outside Cambodia (at present the law allows such Cambodians to vote overseas but they must register as voters in Cambodia).

34. My Special Representative has had extensive discussions on these two proposed revisions of the Electoral Law with the parties concerned. On the basis of his reports, I have given careful consideration to these two issues, especially in view of the support expressed for them by Prince Sihanouk. However, I have regretfully come to the conclusion that the extension of the franchise on purely ethnic grounds to persons who were not born in Cambodia would not be consistent with the letter or the spirit of the Paris Agreements. Furthermore, at a time when the registration process is nearing completion, the printing of additional registration cards and other necessary documentation would create such delays that it would make it practically impossible to hold the elections in May 1993, in accordance with the time-table set by the Security Council. The same can be said of the complex problems arising from any attempt to allow Cambodians to register overseas. I have therefore told my Special Representative that, unless the Security Council decides otherwise, he should not approve these two proposed revisions of the Electoral Law.

E. Military Component

1. Cease-fire violations

35. In my report of 15 November 1992 (S/24800, paras. 14-18), I expressed concern over the military situation in Cambodia. There has recently been an increase in the daily count of cease-fire violations but with no clear gain to either of the forces of the two largest factions, NADK and CPAF. Most cease-fire violations take place in Kompong Thom, Siem Reap and Battambang provinces in central and north-west Cambodia. They typically take the form of artillery duels, which drive villagers from their homes without causing extensive casualties on either side. In other cease-fire violations, six bridges in central and northern Cambodia have been blown up since mid-October 1992.

36. The Party of the State of Cambodia (SOC), claiming that NADK has made territorial gains, has called on my Special Representative to restore the military balance. Reports from United Nations military and naval observers in the countryside do not conclusively confirm this claim, but rather indicate that the armed forces of SOC (CPAF) are attempting to recover territory over which NADK extended its influence during the recent rains, while NADK is attempting to consolidate its gains and interrupt CPAF's communications. This pattern is illustrated by the increased state of readiness of NADK forces in Kompong Thom, where United Nations observers report that NADK lines of communication and supply have been shortened and combat training intensified.

37. On 4 November 1992, my Special Representative issued a call for military restraint, urging all parties to respect the peace process and to refrain from

building up their forces, making aggressive military moves or attacking one another. He stressed that no Cambodian party had the right to deny the Cambodian people the right to take control over their country and their destiny through free and fair elections. In my report of 15 November 1992, I also appealed to all parties to respect the cease-fire scrupulously and to refrain, in accordance with article 9 of the Paris Agreements, from any activity which is aimed at enlarging the territory they control or which might lead to renewed fighting.

38. However, in December there occurred two very serious cease-fire violations. Frequent exchanges of shelling took place between NADK and CPAF throughout the month in the Bavel area of Battambang province, causing about 15,000 local residents to flee their homes. Many of these were assisted by the Office of the United Nations High Commissioner for Refugees (UNHCR) with the help of the World Food Programme (WFP), the United Nations Children's Fund (UNICEF) and the International Committee of the Red Cross (ICRC). On 24 and 25 December NADK artillery shells landed near a location occupied by UNTAC troops from the Bangladesh battalion in Svay Leu district 50 kilometres north-east of Siem Reap. An UNTAC electoral registration team supported by UNTAC military and civilian police personnel had been deployed there a few days earlier. The area came under shelling again on 31 December. In total, about 20 rounds fell near the UNTAC camp. The UNTAC personnel were evacuated, but have since returned. Bavel is still being subjected to sporadic shelling, but Svay Leu appears to be currently calm.

2. Redeployment of the Military Component

39. As stated in article 11 of the Paris Agreement, the objectives of the Military Component are to "stabilize the security situation and build confidence among the parties to the conflict, so as to reinforce the purpose of this agreement and to prevent the risks of a return to warfare". This was to have been done through the cantonment and demobilization of the forces of all four factions. However, the refusal of the PDK to participate in that process has made it necessary to redeploy the Military Component in order to fulfil the requirements of Security Council resolution 792 (1992).

40. The Military Component will continue to perform many of the tasks entrusted to it since the beginning of the mission, including weapons control and assistance to the Repatriation Component, as well as its essential engineering, demining, logistics, communications and other functions. The Component will continue its patrolling, observation and monitoring duties by land and water and its civic action programmes to build confidence in the countryside.

41. However, the priority task of the Component in the coming months, as described in paragraph 31 of my report of 15 November 1992 (S/24800), is to enhance UNTAC's ability to protect voter registration and, subsequently, the electoral and polling processes, particularly in remote or insecure areas.

42. In order to accomplish this, the original deployment pattern of the Military Component, which was based on the requirements of regroupment and cantonment, has been realigned to correspond with the borders of the Cambodian provinces. This will conform with the deployment of electoral teams and shorten the time taken to respond to potential threats to them. The new deployment, which was completed on 31 December 1992, is also designed to foster a sense of security among Cambodians in those areas with a higher potential for conflict. Similarly, military observers now accompany electoral teams in order to negotiate, where necessary, with local authorities or forces that try to hinder registration. While some incidents have occurred, as described below, the military observers have often succeeded in such negotiations. In addition, with the winding down of the voter registration exercise, the Military Component will be asked to assist in UNTAC's efforts to promote a neutral political environment, as described in section I.K below.

43. The Military Component's mine-clearance programme will also continue to receive high priority. The number of trained mine-clearance personnel has now reached 1,323, with a further 160 under training. Since there is a shortage of supervisors, only 542 of these are employed, 352 directly by UNTAC and 190 by other agencies. In order to resolve this problem, some UNTAC trainers have been requested to act as supervisors while some of the trained mine clearers are receiving additional training as supervisors.

3. Attacks on UNTAC personnel and aircraft

44. Since my second progress report of 21 September 1992, 14 UNTAC personnel have been injured as a result of military activity by one or other faction. These include nine military, police and civilian personnel injured in land-mine explosions in Banteay Meanchey, Kratie and Siem Reap provinces. In addition, one soldier and three civilian electoral staff were injured by gunfire in two separate incidents, and an officer was injured when his helicopter was fired upon.

45. The latter incident was 1 of 11 involving attacks on helicopters, mostly over Siem Reap, Kompong Thom and Preah Vihear provinces, with 1 incident taking place over Kompong Speu Province. Most of these did not result in injury, although in one case a helicopter was forced to land because of damage caused by small-arms fire, as described in paragraph 15 of my report of 15 November 1992 (S/24800).

46. A total of 21 UNTAC personnel have died by accident or from natural causes since the beginning of the mission, including 10 since my report of 21 September 1992.

47. During December, a number of incidents occurred in which UNTAC military and other personnel were detained in the countryside by units of NADK, each apparently acting in isolation. The incidents took place while UNTAC military and naval observers and other military personnel were exercising their right to move freely throughout the territory of Cambodia in order to carry out

their duties, including election-related duties. In all cases UNTAC personnel were released unconditionally and unharmed.

48. On 2 December, six United Nations military observers were detained by a unit of NADK and held for two days before being released unharmed. My Special Representative subsequently issued a statement in which he noted that the PDK leadership had been cooperative in securing the observers' release, but that their troops had acted quite wrongly in detaining them in the first place. The statement also referred to the statement of the President of the Security Council of 2 December 1992 (S/24884) expressing the members' deep concern and outrage at this and other serious incidents involving United Nations peace-keeping personnel. The latter statement demanded that the parties concerned take all necessary measures to prevent the recurrence of such incidents. It also stressed that the abduction and detention of United Nations peace-keeping personnel was totally unacceptable.

49. On 15 December 1992, two military observers accompanying an electoral team near the village of O Sala in Kompong Thom Province entered into negotiations with a local NADK commander to ensure the safety of the team. They were obliged to stay overnight with the NADK unit and were joined the next day by two more military observers and a company of one of UNTAC's two Indonesian battalions. After further discussions, and a further night at the scene, the 4 observers and several members of the Indonesian battalion were allowed to leave for Kompong Thom City, while 8 Indonesian soldiers remained at O Sala, with a further 40 or so stationed about 400 metres away. On 18 December, all of them were allowed to leave O Sala unconditionally.

50. Another incident occurred in Kratie Province on 18-19 December 1992 involving the overnight detention of 10 members of UNTAC's Uruguayan battalion, 3 Russian helicopter crew members and a Russian military observer. NADK representatives did not appear for a previously arranged rendezvous with a unit of NADK and, in ensuing attempts to make contact with them, the UNTAC group inadvertently landed in a NADK defensive position. Negotiations through established mechanisms led to peaceful resolution of the incident but confirmed the need to formalize liaison between NADK field commanders and UNTAC, through the deployment of NADK liaison officers in the provincial capitals. Discussions with all factions continue with a view to gaining agreement to procedures that will allow this deployment to occur.

51. On 20 December 1992, Mr. Khieu Samphan addressed a letter to my Special Representative, enclosing a declaration of PDK and NADK jointly signed by himself and Mr. Son Sen, which asserted, inter alia, that UNTAC should not enter PDK-controlled zones without prior authorization and that UNTAC must assume full responsibility for incidents that occurred as a result of its failure to obtain such authorization. On 22 December 1992, my Special Representative and the Force Commander replied, pointing out the distortions contained in the declaration. On the same day, the President of the Security Council issued a statement (S/25003) in which the Council strongly condemned the illegal detention of UNTAC personnel by elements of PDK.

4. Other developments

52. In its resolution 792 (1992), the Security Council adopted a number of measures relating to the full implementation of the Paris Agreements and of decisions taken or to be taken by the Supreme National Council. In particular, the Council invited UNTAC to establish all necessary border check-points, requested neighbouring States to cooperate fully in the establishment and maintenance of those check-points and requested the Secretary-General to undertake immediate consultations with States concerned regarding their establishment and operation.

53. As reported in paragraph 20 of my second progress report, UNTAC has established nine check-points on Cambodia's border with Viet Nam, two on the border with the Lao People's Democratic Republic and seven on that with Thailand. In accordance with my original implementation plan (S/23613), additional check-points have been established at ports, airports and major routes inside Cambodia.

54. The border check-points already in place give UNTAC the capacity to observe activities in zones controlled by FUNCINPEC, KPNLF and SOC. To supplement them, a further eight check-points are to be established along the Thai border in the zone controlled by PDK. Consultations are currently taking place between UNTAC representatives and the Royal Thai Government with a view to agreeing on modalities for the cooperation called for in paragraph 12 of resolution 792 (1992) regarding the establishment and operation of those check-points.

55. Originally, the border check-points were put in place pursuant to articles VI and VII of annex 2 of the Paris Agreement governing the verification of the withdrawal from Cambodia and the non-return of all categories of foreign forces and the cessation of outside military assistance to all Cambodian parties. In addition to these duties, check-point personnel are also now required to assist in the implementation of paragraphs 10 and 13 of resolution 792 (1992) and ultimately in the implementation of paragraph 14. In accordance with paragraph 21 of that resolution, more detailed information on its implementation will be contained in the report to be submitted to the Security Council by 15 February 1993.

F. Civil Administration Component

1. General

56. The extension of UNTAC supervision and control over the existing administrative structures of the three parties in compliance with the peace plan has continued despite the deteriorating security situation, which complicates UNTAC's task. In particular, progress has been achieved in the further development of the expenditure control procedure, the establishment of a border control mechanism, the planning of specialized control operations in telecommunications and civil aviation and the measures taken to promote a

neutral political environment (see sect. I.K below). In addition, UNTAC has decided to extend its control to the "council of ministers" of the Phnom Penh administration, since a number of decisions affecting the activities of other "ministries" are taken at that level. On the other hand, UNTAC has been unable to gain access to the administrative structure of PDK, and this inability has given rise to a hardening of the position of the Phnom Penh authorities vis-à-vis the supervision and control exercised by UNTAC over them in nearly all fields. This has been particularly evident since the beginning of October 1992.

2. Foreign affairs

57. During September, following the submission of the second progress report, UNTAC supervised the abolition of entry and exit visas for the holders of passports issued by the Phnom Penh authorities, the abolition of the policy of retaining those passports after their holders had returned to Cambodia, the streamlining of immigration procedures at Phnom Penh Airport, and the simplification and expediting of procedures for obtaining passports from the Phnom Penh authorities. On 22 September, the Supreme National Council declared that all Cambodian passports shared the same status as the newly issued Supreme National Council passports when endorsed by the Supreme National Council seal. An increase of corruption in the issuance of passports, however, has recently been detected. Efforts to secure the cooperation of the "ministry of foreign affairs" of SOC have not so far been successful and, if this persists, UNTAC may soon have to take firmer action to remedy the situation.

58. UNTAC has focused its attention on the distribution of food aid in order to prevent its use in influencing voters and has dealt with a number of cases of embezzlement.

59. A border-control mechanism has been developed by the Civil Administration, Civilian Police and Military Components. This is of particular significance in view of the concerns many Cambodians express about the influx of Vietnamese into Cambodia and the adoption by the Supreme National Council on 22 September 1992 of a moratorium on the export of round logs from the country. The operation of the mechanism will rely on the UNTAC border check-points already established and those to be established in accordance with the Paris Agreements and with resolution 792 (1992).

3. National defence

60. On 14 October, the "minister of defence" of SOC signed a declaration outlining the principal modalities of UNTAC's direct control in the field of defence. One of these is a priori control, which allows UNTAC to examine decisions by the "ministry" before they are finalized. On 21 October, the "minister of defence" approved an information circular proposed by UNTAC concerning measures to be taken with regard to immovable property assets and

underlining the distinction between private and public assets. This is a significant issue in that land and property disputes in general, and disputes over land and property owned by the administrations in particular, are extremely widespread and complex in Cambodia.

61. All incoming and outgoing correspondence of the SOC "ministry" of defence is monitored by UNTAC in order to control any actions that might impair the neutrality of the political environment. Similar correspondence of the FUNCINPEC and KPNLF administrations is also monitored. The removal from populated areas of munitions dumps thought to be in a dangerous condition has been secured and the sale for scrap of unserviceable weapons after their destruction by the Military Component has been approved. The use of funds from such sales is monitored.

62. A draft directive is now in preparation to be signed by the leaders of CPAF, Army of National Campuchea Independence (ANKI) and the Khmer People's National Liberation Armed Forces (KPNLAF) governing political activity by military personnel. Consideration is being given to drawing up a similar code of conduct for other categories of officials, including civil servants and police officers.

4. Public security

63. Following the adoption by the Supreme National Council on 10 September 1992 of transitional provisions relating to the judiciary and criminal law and procedures, known as the "interim penal provisions", a training programme was launched on 2 November for about 200 local magistrates, police officers, prosecutors and public defenders from three of the four Cambodian parties. This was done in collaboration with the Human Rights and Civilian Police Components. The latter also worked with the Civil Administration Component in establishing a working group on road safety, which has produced videos and a booklet on traffic rules and an interim traffic code, and a working group on banditry. Prison visits have been conducted, without prior authorization, to ensure that the provisions are being properly applied.

64. However, the public security situation throughout Cambodia is still unsatisfactory. The special measures now under consideration in order to create and maintain a neutral political environment conducive to free and fair elections are discussed below.

5. Finance

65. UNTAC is experiencing difficulty in exercising the controls it has sought to put in place over the Phnom Penh authorities as a result of the increasing resistance from them referred to above. Efforts are nevertheless continuing to strengthen UNTAC's control over expenditure, all sources of revenue (e.g., taxes and customs), the central bank functions and the sale of public assets.

Techniques and methodology for financial control have also been discussed with the FUNCINPEC and KPNLF administrations.

66. Another dimension is the stabilization of the country's economy in order to reduce possible causes of unrest that might have an adverse effect on the electoral environment. In particular, UNTAC has been involved in efforts undertaken by external donors such as the World Bank/International Monetary Fund (IMF) and the Asian Development Bank (AsDB), as well as bilateral donors whose financial assistance programmes have macroeconomic implications. An AsDB loan agreement of $74 million was recently approved, and in October 1992 the Netherlands agreed to provide $2 million in short-term assistance for the importation of rice and other goods.

67. In conjunction with the World Bank, the new budget of SOC has been introduced to enhance clarity and transparency and to eliminate budget elements relating to party political activity.

68. In its efforts to assert control over the national bank, UNTAC is monitoring the issue of currency on a weekly basis. Efforts are now under way to set up a system to monitor the bank's position vis-à-vis the currency reserves and liabilities of the Phnom Penh administration and to help to forecast economic trends.

69. A workshop for all provincial financial controllers was held on 23 and 24 November in Phnom Penh on various aspects of control techniques, and seminars for tax officials and customs officers of the Phnom Penh administration have been organized.

6. Information

70. In October 1992, UNTAC published media guidelines drafted in the Media Working Group established by the Information/Education Division. The guidelines aim at lifting legal restrictions and encouraging the operation of a free and responsible press. To foster this process, UNTAC has helped to launch a Cambodian Media Association of all Cambodian journalists, which had met twice by mid-December. Fair access to the media by all political parties during the forthcoming electoral campaign will also be ensured.

71. UNTAC has enjoyed limited success in its efforts to exercise control over the existing administrative structures dealing with information. No access has been granted to the structures of PDK. The "ministry of information" of SOC has resisted UNTAC's attempts to effect a priori control. Information officers have sought, but failed, to attend editorial meetings of some of its information entities, including its press agency and its television station, "TV Kampuchea". The latter organization has also refused to show one UNTAC video that it considers not to be neutral vis-à-vis SOC, but it has regularly broadcast other UNTAC information materials without difficulty.

7. Complaints and investigations

72. More than 140 complaints have now been received, mostly concerning land disputes, evictions and allegations involving interference or abuse by local officials that are not human rights violations.

73. As already noted, many land and property disputes involve the "ministry of defence" of SOC. At the instigation of UNTAC, the "ministry" has now established two committees whose objectives are to prepare an inventory of all real estate owned by the "ministry" and to take disciplinary action against soldiers found to be trespassing on either public property or private property owned by others.

8. Specialized control

74. In accordance with annex 1, section B, paragraph 2, of the Paris Agreement, the Supreme National Council agreed at its meeting on 26 May 1992 to UNTAC's "optional" or "second-level" control over a number of fields, including public health, education, agriculture, fishing, transport, energy, tourism, historic monuments, mines and general administration.

75. As of 3 October, an UNTAC naval officer was given the responsibility of monitoring the activities of the Phnom Penh "ministries" involved in the civil administration of the ports of Cambodia.

76. A health sector technical working group was established to examine health-related questions such as ensuring equal access for Cambodians to health services and setting a standard for qualifications of health-care workers. The group, which includes representatives of the Cambodian parties, UNTAC Medical Services, the World Health Organization (WHO), UNHCR, UNICEF, ICRC and the International Federation of Red Cross and Red Crescent Societies (IFRC), met on 5 October 1992 to discuss control of the spread of the acquired immune deficiency syndrome in Cambodia.

G. Civilian Police Component

77. The Civilian Police Component (CIVPOL) has now effectively reached full deployment with the arrival in Cambodia of some 3,550 officers out of the authorized strength of 3,600, with the final 50 due to arrive soon. The activities of the Component, both in general and in response to paragraph 10 of resolution 783 (1992), are described in paragraphs 11 to 13 of my report on the implementation of that resolution (S/24800). Activities of the component in promoting a neutral political environment of Cambodia are described in section I.K below.

78. On 27 November 1992, in implementation of its mandate to organize training courses for the local police, UNTAC awarded graduation certificates to 84 Cambodian police officers who had completed its course on basic police

methods. The graduates included members of KPNLF and KPNLAF, as well as 24 officers from PDK. UNTAC has decided to deploy civilian police monitors in areas controlled by PDK to help to protect returning refugees who wish to settle there with assistance from the Repatriation Component. Both Components have been promised full access to those areas where repatriation is to take place.

H. Repatriation Component

79. About two thirds of the refugees and displaced persons - a total of some 240,000 - had been repatriated without serious incident by the end of December 1992. A total of 34,400 persons were repatriated during the month of December and movements are expected to exceed 40,000 in January 1993. The repatriation of all 360,000 or so refugees by May 1993 is confidently expected. Following the closure in October 1992 of three border camps, Sok Sann, Site K and O'Trao, Site B camp was closed on 14 December 1992. Site 8 is scheduled to close in late January 1993, Site 2 in late March and Khao-I-Dang as soon as possible thereafter.

80. More than 10 per cent of the returnees have been repatriated to the Thmar Puok area presently under the control of KPNLF. Some 3,000 persons have also been repatriated to the zone administered by FUNCINPEC. Preparations for movements to the area under the control of PDK are continuing and the first movement to one of the proposed settlement sites is scheduled to take place around some time in January 1993. A few thousand persons have registered their desire to return to this area.

81. The general deterioration of the security situation has, however, affected the repatriation operation, albeit to a limited extent for the time being. Recurrent fighting in the Bavel district of Battambang Province, for instance, has forced returnees as well as the receiving population to become internally displaced persons. As a result, UNTAC has now declared the district insecure and unsuitable for repatriation purposes.

82. The programme of quick impact projects, jointly managed with the United Nations Development Programme (UNDP), is progressing successfully. To date some $3.4 million has been disbursed out of a total of more than $9 million earmarked for quick impact projects in the UNHCR programme. The main areas of activity are infrastructure, health, provision of water, agriculture and education.

83. One of the limiting factors in the reintegration into Cambodia of the returnees is the shortage of safe, available land. With this in mind, the Director of the Repatriation Component has also been named as the Director a.i. of the Cambodian Mine Action Centre, whose Governing Council held its first meeting on 4 November 1992. In accordance with the statute adopted by the Supreme National Council in June 1992, Prince Sihanouk is the President of the Governing Council of the Centre and my Special Representative serves as Vice-President. Each has appointed five members to serve on the

Governing Council and, in addition, UNTAC has appointed a Treasurer. The 4 November meeting approved an eight-month operations plan to June 1993 and a draft budget. The Centre will pursue four objectives: increasing mine awareness, collecting mine information and marking minefields, clearing mines and unexploded ordnance and training Cambodians in mine-clearance skills.

84. A group of 398 Vietnamese Montagnards, called the "Front Uni de Libération des Races Opprimées" (United Front for the Liberation of Oppressed Races) (FULRO), who had been living for more than 15 years in the forests of Mondolkiri Province, laid down their arms and were transported on 10 October 1992 to an UNTAC transit centre, near Phnom Penh, for screening by United States officials. The process proceeded smoothly, and all of them were accepted for resettlement in North Carolina, United States of America. They travelled to the United States, via Bangkok, in nine groups, between 18 November and 2 December 1992.

85. Out of some 11,000 Cambodian refugees living in Viet Nam since 1975, 850 have requested to be repatriated. The first convoy of 101 returnees took place on 15 November 1992. As of 15 December, a total of 456 returnees had come back.

I. Rehabilitation Component

86. At the two Supreme National Council meetings held in Phnom Penh on 22 September and 20 October 1992, four rehabilitation projects totalling $11.7 million were approved. These involved technical assistance in the rehabilitation of public finances and in humanitarian and development-related matters, the safeguarding of Angkor Wat and the promotion and development of agro-related metalworking industries. A further nine projects worth more than $100 million were approved at the Supreme National Council working session held on 8 December. As a result, a total of 35 projects representing over $340 million have been approved by the Supreme National Council since the Tokyo Ministerial Conference on the Rehabilitation and Reconstruction of Cambodia held in June 1992.

87. In collaboration with UNESCO, UNTAC proposed to the Supreme National Council at its meeting on 20 October 1992 the establishment of a National Heritage Protection Authority of Cambodia to coordinate efforts aimed at protecting and administering the physical and cultural heritage of Cambodia. This was approved unanimously by the Supreme National Council. In December 1992, UNESCO decided that the site of Angkor Wat, together with its monuments and its archaeological zones, should be officially inscribed on the list of monuments to be preserved by the international community.

88. At its meeting on 22 September 1992, the Supreme National Council, acting on the initiative of UNTAC, adopted a moratorium on the export of untreated logs as from 31 December 1992 in order to protect Cambodia's natural resources. By paragraph 13 of its resolution 792 (1992), the Security Council supported that decision; requested States, especially neighbouring States, to

respect the moratorium by not importing such logs; and requested UNTAC to take appropriate measures to secure the implementation of such a moratorium.

89. At its working session on 8 December 1992, the Supreme National Council reviewed without objection a plan for the implementation of the moratorium, which involves the Civil Administration, Military and Civilian Police Components, as well as the Rehabilitation Component. The plan requires a review of existing logging contracts concluded with the four Cambodian parties, the development of legal penalties for illegal trade in logs and sawn timber and provisions for UNTAC supervision of the enforcement of the moratorium by the border police and customs authorities of the existing administrative structures. Since 1 January 1993, in accordance with that plan and pursuant to resolution 792 (1992), UNTAC personnel at the border check-points have been monitoring and reporting any illegal export of logs and sawn timber so that the administrative structures concerned and the countries of destination can be informed. My Special Representative has called on countries adjacent to Cambodia to assist in the implementation of the moratorium.

90. In accordance with paragraph 14 of resolution 792 (1992), proposals are being drawn up for submission to the Supreme National Council regarding a moratorium on the export of minerals and gems in order to protect Cambodia's natural resources.

J. Information/education

91. UNTAC produces a variety of videos, posters, information leaflets, flyers and large banners and advertisements for public display to encourage full participation in voter registration and to illustrate the work of UNTAC, especially the Human Rights Component. Radio production will increase from four to nine new half-hour programmes per week as the new Khmer direct-production staff begin independent scriptwriting and recording. Programmes are repeated throughout the day at local peak times. The programmes are broadcast from a transmitter in Phnom Penh and reach most of Cambodia, and the addition of relay transmitters, for which tenders were closed in December 1992, will ensure that UNTAC broadcasts can be heard throughout the country. These efforts are complemented by the dissemination in the provinces of 43,000 radios donated by the Japanese people through a non-governmental organization and by a Japanese political party. Another 100,000 transistor radios are in the pipeline. An UNTAC Information Centre was opened in Phnom Penh in mid-November 1992 for Cambodians wishing to read UNTAC materials and watch the video products and as a venue for meetings of Cambodian journalists and for media-related seminars.

92. Translations and analyses of the Khmer-language radio and print output of all four Cambodian parties are provided to my Special Representative and all UNTAC components. Information officers also conduct regular opinion surveys among Cambodians of all categories and occupations in Phnom Penh and the countryside to assess the impact of UNTAC's information programme and to

monitor the attitude of the people towards UNTAC and its implementation of the peace process.

93. UNTAC is now preparing for more intensified activity during the electoral campaign, which will include informing Cambodians of the events of the campaign and their significance, disseminating information on the various political party platforms, building confidence in the secrecy of the ballot and instructing voters in voting procedures.

K. Creation and maintenance of a neutral political environment

94. One of UNTAC's most important tasks is the creation and maintenance of a neutral political environment conducive to the holding of free and fair elections, as called for in article 6 of the Paris Agreement. This environment is to be achieved through UNTAC control of the existing administrative structures, as well as by promoting respect for human rights as provided for in article 16 of the Paris Agreement. As my Special Representative has informed the Supreme National Council, such an environment does not yet exist. A spate of violent incidents over the last few months has heightened a sense of insecurity among Cambodians. UNTAC's Human Rights, Civilian Police and Civil Administration Components have jointly taken the lead in developing measures to prevent and deal with threats to public order so that electoral activity can proceed in peaceful and orderly conditions.

95. Threats to public order in Cambodia can be divided into three categories: politically motivated attacks on political party offices and staff; attacks on Vietnamese-speaking persons; and killings which seem to have no particular political motivation but which spread a climate of fear and intimidation. Although there are provinces where basic political rights are by and large respected, there are others where this is far from being the case. The local administrative agencies, bodies and offices that are in a position to influence the outcome of the election have in many instances not responded properly to their obligation to ensure respect for human rights and fundamental freedoms and to accept UNTAC control and supervision. The existing administrative structures are not providing effective protection to some political parties, nor do officials of those parties believe they are receiving adequate protection from the authorities.

96. In recent weeks there have been more than 40 attacks on political party offices and workers throughout Cambodia. Most of these are directed against FUNCINPEC and the Buddhist Liberal Democratic Party (political wing of KPNLF). The worst incidents have taken place in Battambang, Kandal, Sihanoukville, Pursat, Prey Veng, Svay Rieng, Koh Kong, Siem Reap and Kampot. In most cases, unknown assailants driving past the offices or homes of party members by night throw grenades or fire automatic weapons at them before speeding off. All these incidents have been investigated or are currently under investigation by the Civilian Police Component in collaboration with the Human Rights Component, but UNTAC's efforts are hampered by the lack of witnesses.

97. In addition to the killings of Vietnamese-speaking persons in Tuk Meas Village and Koh Kong Province which I described in paragraph 19 of my 15 November report (S/24800), four other violent incidents took place in October and November in which the victims were of Vietnamese origin. Three of these, involving kidnapping, murder and the destruction of property, took place in Sihanoukville. The fourth concerned the abduction, rape and murder of Vietnamese nationals, apparently by a group of Cambodian men, early in November. On 17 November 1992, on the basis of a Civilian Police and Human Rights investigation into the murders in Koh Kong Province, my Special Representative wrote to Mr. Khieu Samphan, President of PDK, seeking his cooperation in locating 10 members of NADK who had been identified as suspects in the killings. No cooperation has been forthcoming.

98. On 16 December, UNTAC was informed that three fishermen of Vietnamese origin had been missing from their home in Hang Kasoun village, Stung Treng province, since 8 December. The bodies of the victims were found floating in the Mekong. UNTAC investigations subsequently established that the three had been killed by NADK soldiers, whose names were given to the investigators. On 27 December a group of about 24 soldiers attacked Taches village in Kompong Chhnang Province. The soldiers who, according to witnesses, belonged to NADK, asked villagers to identify "Vietnamese" residents and killed 14 people pointed out to them. They wounded 14 others, of whom one has since died. The victims included six women and four children. As in the case of the earlier attacks, there is strong evidence that this incident was racially motivated.

99. Summary executions of groups of persons have also caused considerable concern. In two separate incidents in November, a total of 10 bodies were found in shallow graves in Battambang and Kompong Cham provinces. The victims, all young men, were bound and they had been stabbed, beaten or shot to death. Some were in uniform. UNTAC Civilian Police and Human Rights investigations into the cases strongly indicate the involvement of CPAF personnel in the Battambang case, but the identity of the perpetrators in the Kompong Cham case is still unclear.

100. On 19 November 1992, my Special Representative publicly stated that a free and fair election could not be held in circumstances where people faced threats to their lives, property and personal security for attempting to exercise their political rights. He strongly reaffirmed UNTAC's full commitment to the creation and maintenance of a neutral political environment.

101. In order to foster such an environment, UNTAC has announced that it will give priority to protecting three freedoms: freedom from intimidation, freedom of party affiliation and freedom of action for political parties. The attention of the four parties has also been drawn to paragraph 4 of resolution 792 (1992), which calls on them to cooperate fully with UNTAC to create a neutral political environment for the conduct of free and fair elections and prevent acts of harassment, intimidation and political violence.

102. In November, at the request of UNTAC, senior public security officials of the Phnom Penh administration issued a public statement condemning acts of

political intimidation and transmitted instructions accordingly to their subordinates. UNTAC Provincial Directors have also informed the Phnom Penh administration officials responsible for each province, their deputies and heads of districts or communes that, if investigation so warranted, they could be held personally responsible by UNTAC for all acts of intimidation, all threats and all violent actions perpetrated against the agents of the parties active in their province. UNTAC has made it clear to the local authorities that any allegations of intimidation and violence directed against political parties will be vigorously investigated.

103. In mid-December 1992, UNTAC's Civilian Police and Military Components instituted intensive patrols and static guard duty to improve the security of political party offices thought to be most vulnerable to attack, and these measures were further refined early in January 1993. On 6 January, in accordance with articles 6 and 16 and sections B and E of annex I of the Paris Agreements, my Special Representative issued a directive establishing procedures for the prosecution of persons responsible for human rights violations. Pursuant to this directive, UNTAC has assumed powers to arrest, detain and prosecute suspects in cases involving serious human rights violations. These powers will be exercised in accordance with the Provisions relating to the Judiciary and Criminal Law and Procedure Applicable in Cambodia during the Transitional Period, which were adopted by the Supreme National Council on 10 September 1992.

II. CONCLUDING OBSERVATIONS

104. Some of the developments which have occurred in Cambodia since my last progress report are encouraging, while others are cause for concern.

105. On the positive side, there is no doubt that the voter registration exercise has been a remarkable success. It also demonstrates that the overwhelming majority of the Cambodian people support the peace process and UNTAC's efforts to implement the mandate entrusted to it under the Paris Agreements. It testifies to the confidence of the Cambodian people in the democratic process. In accordance with its mandate and with paragraph 5 of Security Council resolution 792 (1992), UNTAC will therefore continue to make every effort to prepare for the holding of free and fair elections by May 1993, in all areas of Cambodia to which it has access as at 31 January 1993. I sincerely hope that all parties will respect the unmistakable wish of the Cambodian people to be given the opportunity to decide freely their own future, in a peaceful and secure environment.

106. I am also encouraged by the progress of the repatriation process. Two thirds of the 360,000 Cambodian refugees and displaced persons have now been safely repatriated and I am confident that, under present conditions, this process will be completed in time to enable all eligible returnees to take part in the elections.

107. On the other hand, there have been a number of negative developments that have created obstacles to the full implementation of the Paris Agreements. As the members of the Security Council are aware, PDK's refusal to participate in the second phase of the cease-fire has made it impossible for UNTAC to carry out the cantonment, disarmament and demobilization of the factions' armed forces. The continuing existence of large and sometimes undisciplined armies, as well as attempts by some of them to improve their positions on the ground, has had an adverse effect on the security situation in the country. There has been an increase in violations of the cease-fire, and there have also been a number of attacks on UNTAC personnel and helicopters. Last month, for the first time, members of the UNTAC Military Component were temporarily detained by elements of NADK in three separate incidents.

108. Another disturbing feature of the present situation is the growing climate of violence resulting from politically motivated acts of intimidation and attacks against party offices and party workers, as well as from apparently deliberate killings of persons of Vietnamese descent. There also seems to be a growing reluctance on the part of some of the existing administrative structures to accept the control and supervision functions entrusted to UNTAC. It is worth reiterating in this connection that non-compliance by one party should not be invoked by any other party as a pretext for failing to honour its obligations under the Paris Agreements. In addition, the Supreme National Council has not met as frequently as it should, and the level of participation of some of the parties in its meetings has been disappointing.

109. These developments have seriously hampered UNTAC's efforts to create and maintain the neutral political environment needed for the holding of free and fair elections. The measures recently announced by my Special Representative to deter attacks against political party offices and to arrest and prosecute those thought to be responsible for acts of violence, in combination with some other measures under consideration by UNTAC, should contribute to improving the political atmosphere in the country and promoting a climate of security and stability.

110. I am convinced, however, that the best way of overcoming the present difficulties is for all parties to remain actively involved in the peace process and to engage in constructive dialogue within the Supreme National Council, in accordance with their obligations under the Paris Agreements. Clearly, peace in Cambodia cannot be achieved without the continuing support of the Cambodian parties, and UNTAC cannot succeed in its mission unless they cooperate in ensuring that the mechanisms set up by the Paris Agreements function in an effective manner.

111. I fully understand the serious concerns recently expressed by Prince Sihanouk about the many challenges that the peace process faces. I am encouraged by the constructive discussions he had with my Special Representative on 8 January and by his decision, despite continuing health problems, to host a meeting of the Supreme National Council in Beijing on 28 January 1993. At this critical juncture, his leadership and moral

authority are more than ever needed. Prince Sihanouk remains the sole figure capable of uniting Cambodians of all political persuasions. I am confident that, his health permitting, he will continue to work actively towards peace, stability and national unity in Cambodia and to support UNTAC's endeavours to contribute to the achievement of these goals.

112. In this context, I am gratified that Prince Sihanouk confirmed to my Special Representative that he intended to participate in the presidential election referred to in paragraph 3 of resolution 792 (1992). I am convinced that the holding of a presidential election, in conjunction with the planned election for a constituent assembly, could contribute to national reconciliation and that it could provide an essential element of stability during the rest of the transitional period. I have therefore asked my Special Representative to proceed immediately with the necessary technical preparations. I trust that, in view of the time constraints, the members of the Council will support this course of action. I will submit to the Council, in my next report, further recommendations regarding the modalities for the organization and conduct of such an election.

113. In the meantime, UNTAC will continue to do its best to resolve the difficulties that have arisen, so that it can pursue the implementation of its complex mandate in an improved and more secure environment. I am aware that further challenges lie ahead and that the coming weeks may be critical in this regard. I therefore intend to visit the region next month to review the situation personally and study what further measures might usefully be taken to reinforce the peace process and ensure the best possible implementation of the Paris Agreements. In the final analysis, however, this can be achieved only with the active cooperation and support of the Cambodian parties.

114. In conclusion, I wish to express my appreciation to the Governments contributing military and civilian police personnel to UNTAC. I take this opportunity to pay tribute to Mr. Yasushi Akashi, my Special Representative for Cambodia, and to all the men and women - civilian, military and police - of UNTAC. They have performed with efficiency and devotion to duty under difficult conditions the important tasks assigned to them by the Security Council.